IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

OHMAE et al.

Application No. 09/623,575

Art Unit: 2614

Examiner: J. Manning

Filed: January 24, 2001

For: AUDIOVISUAL TERMINAL,
AUDIOVISUAL
AUTHENTICATION SYSTEM,
METHOD OF AUTHENTICATING
AUDIOVISUAL, REMOTE
EDUCATION METHOD, AND
RECORDING MEDIUM

SUPPLEMENTAL RESPONSE TO OFFICE ACTION

U.S. Patent and Trademark Office
220 20th Street S. Customer Window, Mail Stop Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Dear Sir:

In supplementation of the response filed December 9, 2004, Applicant requests the replacement of two paragraphs appearing in the Remarks section of the Response as follows.

Please replace the two paragraphs beginning at page 14, at lines 6 and 13 with the following paragraphs:

Lemelson describes a system for monitoring the progress of an ongoing lecture program and its effectiveness in educating the students who are participating in the process. In this system there is a colloquy between a teacher and the students, each of whom has a terminal for receiving questions and inputting answers to the questions. The answers are transmitted to the teacher who can evaluate, statistically, the accuracy of the responses and other information. However, there is no discussion in Lemelson that the teacher or anyone else can verify which students are actually paying attention and participating in the program. In other words, there is no description in Lemelson that provides for confirmation that a particular student or that all students are paying attention. Therefore, the basic function of the invention, providing verification of participation in a audiovisual program by a viewer, is not even conceived of in Lemelson. Accordingly, Lemelson cannot anticipate any pending claim.

Turning specifically to the claims rejected as anticipated, Applicants point out that there is no description in Lemelson of supplying a viewing confirmation code to a viewer. Rather, what is supplied to a student is a question from the teacher. In the invention, the viewer who is attentive inputs the viewing confirmation code for transmission back to the program-providing principal to verify attentiveness. By contrast, in Lemelson, the viewer inputs an answer to a question, not a code, such as a number or another kind of character. In the invention, what is input by the viewer is not an indication of the viewer's learning progress in the audiovisual program being viewed, but a repetition of a viewing confirmation code that contains no information as to whether the viewer has made any progress. The return code is only a neutral indicator of continuing attentiveness. The return code may be requested by a question, the answer to which is merely the return code. For example, the viewing confirmation question may ask the sum of 1 and 2 so that the return code is 3, a number which conveys no information about a student's progress. Further, unlike the invention as defined in claim 29, Lemelson provides no comparison or provision for comparison of the timing of the code input as compared with time information as in that claim. Because of these two differences, Lemelson cannot anticipate claim 29.